IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.532 OF 2007
IN
CRIMINAL APPEAL NO.429 OF 2007

Sumanbai Baburao Pawar .. Appellant
V/s
The State of Maharashtra .. Respondent

Mr.Vikas Shivarkar i/by Mr.Santosh Patil for the Appellant.

Mr. A.R.Patil, APP for the State.

CORAM : DR.S.RADHAKRISHNAN, &
SMT.R.S.DALVI, JJ.

DATE : 24th October, 2007.

P.C.:

1. Heard the learned Counsel for the Appellant and the learned APP for the State. Perused the trial Court's judgment as well as the dying declarations. There are two reliable eye-witnesses viz.Chhabu & Lala, and they have categorically deposed that the Appellant being the mother-in-law was just standing outside the door and the daughter-in-law was screaming from inside. Daughter-in-law's hands were tied by the Appellant, and the said daughter-in-law after being rescued by the others, has given one oral dying declaration and two written dying declarations thereby clearly implicating the appeallant in the offence. Based on the evidence, and the aforesaid dying declarations, the learned Trial Court has convicted the Appellant. This is not the case based on no legal evidence. Hence, we are not inclined to grant bail to the Appellant. Criminal Application stands dismissed.

(SMT.R.S.DALVI, J.) **(DR.S.RADHAKRISHNAN, J.)**